



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

September 24, 1996

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Office of the Secretary
Federal Communications Commission
1919 M Street, Room 222
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

RE: *In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket No. 94-102

Dear Commission Secretary:

Enclosed are an original and fifteen (15) copies of Further Comments filed by this office on behalf of the Texas Advisory Commission on State Emergency Communications ("TX-ACSEC"). Please distribute the filing as appropriate, and file mark the extra copy and return it in the enclosed self-addressed, stamped envelope.

Thank you for your attention in this matter.

Sincerely,

Richard A. Muscat
by JMW

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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of

**Revision of the Commission's
Rules to Ensure Compatibility
with Enhanced 911 Emergency
Calling Systems**

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CC Docket No. 94-102

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To: The Commission

**FURTHER COMMENTS OF THE TEXAS ADVISORY COMMISSION
ON STATE EMERGENCY COMMUNICATIONS**

NOW COMES THE TEXAS ADVISORY COMMISSION ON STATE EMERGENCY COMMUNICATIONS (TX-ACSEC), by and through the Office of the Attorney General of Texas, and submits these FURTHER COMMENTS in response to the Commission's Further Notice of Proposed Rulemaking (FNPRM) (July 26, 1996) in CC Docket No. 94-102.

I.

THE COMMISSION SHOULD REMAIN ACTIVELY INVOLVED.

1. The Nation's citizens will benefit greatly from the Commission's adoption of the Consensus Agreement and the Commission's continued active involvement in fostering major improvements in the quality and reliability of wireless 9-1-1 service. TX-ACSEC agrees with the Commission's conclusion to immediately "begin the task of exploring the need for further action to spur improvements in the features and delivery of these [9-1-1 and E9-1-1] services." FNPRM at ¶ 133. The Commission, as to location information technologies, appropriately concluded that "triggering debate and discussion in the industry

and the public safety community at this juncture through initiation of this further rulemaking proceeding will serve to ensure a full and detailed consideration of the range of location information technologies that are likely to be feasible.” FNPRM ¶ 137. The Consensus Agreement proved that the Commission’s active involvement encourages parties to work out their differences on the issues for the public good. The Commission should continue to remain actively involved. This will promote appropriate solutions and further consensus agreements on the various issues.

II.

ADOPT THE EXPANDED STANDARDS AND REQUIREMENTS AS GOALS.

2. The Commission proposes to adopt an expanded standard of 90 percent accuracy, within a radius of 40 feet, at the end of the initial five-year period. FNPRM ¶ 139. The Commission also seeks comments on the relative costs and benefits associated with the specific expanded standards and requirements. FNPRM ¶¶ 140, 141. TX-ACSEC recognizes that before implementation of Phase I has even begun, sufficient information may not yet exist to determine definitively the reasonableness of each of the expanded standards and requirements or to determine definitively the costs. The Commission, nevertheless, should still adopt the expanded standards and requirements as goals.

III.

MONITOR DEVELOPMENT AND DEPLOYMENT OF NEW TECHNOLOGY

3. The Commission seeks comment “regarding what types of monitoring mechanism the Commission should adopt to ensure that carriers are developing and deploying state-of-the-art technology.” FNPRM ¶ 143. TX-ACSEC submits that various experts in “test

environments” can best monitor the development of state-of-the-art technology. Monitoring deployment of state-of-the-art technology, however, should occur by the filing of an annual joint report on the status of actual deployment throughout the Nation. An ad hoc advisory committee of wireless carriers and 9-1-1 entities should prepare the annual report. If an annual report shows a disagreement between wireless carriers and 9-1-1 entities on the deployment of state-of-the-art technology in a particular state, the Commission then could seek more specific cost and availability information to resolve the dispute, if necessary. The ad hoc advisory committee should file the annual report for at least the next ten years.

IV.

APPROPRIATE PUBLIC EDUCATION IS NECESSARY.

4. TX-ACSEC agrees with the Commission’s conclusion that citizens should be “informed of the capabilities and limitations of wireless 911 systems.” FNPRM at ¶ 152. TX-ACSEC also agrees that wireless carriers have an obligation to educate their customers about the technical limitations of 9-1-1 wireless service. FNPRM at ¶ 150. This is especially true because the wireless industry has been heavily promoting the public safety benefits of wireless service for many years.

5. TX-ACSEC agrees with the Commission’s conclusion on providing instructions to consumers about the potential 9-1-1 disadvantages of setting their handsets to restrict access to an alternative carrier. FNPRM at ¶ 151. Including instructions as labeling on the box may be an appropriate way to inform consumers about the potential 9-1-1 disadvantages of restricting access to an alternative carrier.

6. TX-ACSEC agrees with the Commission's conclusion that while significant variations will exist in implementing enhanced 9-1-1 wireless service throughout the Nation and within individual states, ways must be found "to make wireless 911 service as ubiquitous and transparent as possible to the using public." FNPRM at ¶ 153. The only feasible solution may be a carefully developed public education program for wireless 9-1-1 service. The Texas Legislature has charged TX-ACSEC to "develop and provide public education materials." Tex. Health & Safety Code Ann. § 771.051(a)(8) (Vernon Supp. 1996).¹ Furthermore, implementation of enhanced wireless 9-1-1 service throughout the Nation may be similar to what is going to occur throughout Texas. (The Nation is large and diverse, just as Texas is large and diverse.) TX-ACSEC, therefore, has statutory and practical reasons for concern about developing appropriate, effective wireless 9-1-1 public education. The National Association of Nine-One-One Administrators (NASNA) and the National Emergency Number Association (NENA) would certainly also have great interest in wireless 9-1-1 public education. In the past, wireline carriers have made donations for and cooperated in 9-1-1 public education. One instance of this participation has been the "9-1-1 for Kids" education program. TX-ACSEC expects that the majority of wireless carriers will cooperate in the development of new public education materials for wireless 9-1-1 service. The Commission should allow more time for wireless carriers and 9-1-1 entities to develop specific suggestions or proposals by consensus.²

¹ In the FNPRM, the Commission specifically sought comment on "the role that local public safety agencies can play in disseminating information regarding the capabilities and limitations of wireless 911 service." FNPRM at ¶ 152.

² TX-ACSEC will inform the Commission if it reaches any consensus on specific public education suggestions or proposals with wireless carriers in Texas.

V.

CONCLUSION

7. The Nation's citizens will benefit greatly from the Commission's adoption of the Consensus Agreement and the Commission's continued active involvement in fostering major improvements in the quality and reliability of wireless 9-1-1 service. TX-ACSEC urges the Commission to move forward in its adoption of more specific rules to improve wireless 9-1-1 service throughout the Nation, and urges the Commission to facilitate the development of appropriate, effective public education for wireless 9-1-1 service.

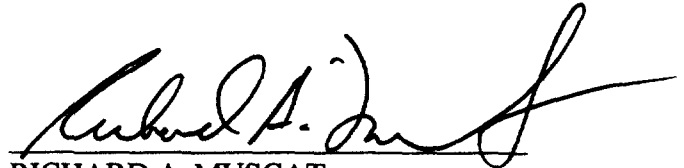
Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served upon all parties of record, by prepaid United States mail, overnight mail, or via fax, on this 24th day of September, 1996.


RICHARD A. MUSCAT

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